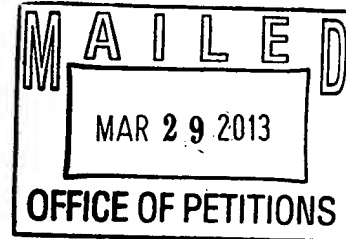




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In re Patent No. 6,144,298  
Issue Date: November 7, 2000  
Application No. 09/385,341  
Filed: August 30, 1999  
Attorney Docket No.: 204,231

ON PETITION

This is a decision on the petition under 37 CFR 1.378(c)<sup>1</sup>, filed March 7, 2013, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is **not** final agency action within the meaning of 5 U.S.C. § 704.

Any petition for reconsideration of this decision must be accompanied by the petition fee of \$400 as set forth in 37 CFR 1.17(f). The petition for reconsideration must include the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

The patent issued November 7, 2000. The patent expired for failure to timely pay the third maintenance fee. The window for payment of the third maintenance fee installment with a surcharge closed on November 14, 2012.

However, the petition under 37 CFR 1.378(c) is not signed.

Pursuant to 37 CFR 1.33(b):

- (b) Amendments and other papers. Amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by:
  - (1) A registered patent attorney or patent agent of record appointed in compliance with § 1.32(b);

<sup>1</sup> 37 CFR 1.378(c) provides that a petition to accept an unintentionally delayed payment of a maintenance fee must be filed within twenty-four months of the six-month grace period provided in § 1.362(e) and must include:

- (1) The required maintenance fee set forth in § 1.20(e) through (g);
- (2) The surcharge set forth in § 1.20(l)(2); and
- (3) A statement that the delay in payment of the maintenance fee was unintentional.

- (2) A registered patent attorney or patent agent not of record who acts in a representative capacity under the provisions of § 1.34;
- (3) An assignee as provided for under §3.71(b) of this chapter; or
- (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

An unsigned amendment (or other paper) or one not properly signed by a person having authority to prosecute the application is not entered. To be considered, the instant petition must be resubmitted, signed by a proper party. See 37 CFR 1.33.

This patent expired November 7, 2012 and will remain in that status until such time as an appropriate petition has been submitted.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail:                      Mail Stop PETITIONS  
                                    Commissioner for Patents  
                                    Post Office Box 1450  
                                    Alexandria, VA 22313-1450

By hand:                     Customer Service Window  
                                    Mail Stop Petitions  
                                    Randolph Building  
                                    401 Dulany Street  
                                    Alexandria, VA 22314

By fax:                        (571) 273-8300  
                                    ATTN: Office of Petitions

By Internet: EFS-Web<sup>2</sup>

Telephone inquiries concerning this matter should be directed to the undersigned Petitions Attorney at (571) 272-3212.

/Patricia Faison-Ball/

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions

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<sup>2</sup> [www.uspto.gov/ebs/efs\\_help.html](http://www.uspto.gov/ebs/efs_help.html) (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)